

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EASTON SPORTS, INC.  
a California corporation,

Plaintiff,

vs.

Case No. 05-CV-72031  
HON. GEORGE CARAM STEEH

WARRIOR LACROSSE, INC.,  
a Michigan corporation, and  
NEW BALANCE ATHLETIC SHOE, INC.,  
a Massachusetts corporation,

Defendants.

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DOCUMENT PRESERVATION ORDER

Following a May 26, 2005 telephone conference in which the parties were instructed to submit proposed document protective/preservation orders in the event an agreement could not be reached as to entry of a stipulated order, and the court being in receipt of the parties' separate proposed "DOCUMENT PRESERVATION ORDERS,"

IT IS HEREBY ORDERED pursuant to Federal Rule of Civil Procedure 26(c) that:

Each party and its subsidiaries shall utilize its best efforts to preserve and not destroy any documents or files in the possession, custody, control of it or any of its employees identified or described below, relating or referring in any way to: (1) hockey equipment, Hamoyun Ghassemi, David Bankske, Neil Wensley or Ron Kunisaki (for any party's documents); (2) Easton (for Defendants' documents); (3) Innovative Hockey (for the documents of any party or subsidiary except Innovative Hockey); or (4) New Balance or Warrior (for Easton's documents), provided that to the extent that the parties do not control their employees' personal files, they shall nevertheless direct such employees to comply

with this Order with regard to those files.

This Order shall apply to all such documents and files, whether stored in electronic or hard copy form, including without limitation information stored on computers, personal computers, portable computers, personal digital assistants, iPods, workstations, minicomputers, servers, back up and archive disks and tapes, or other forms of online or offline storage, whether on or off the party's premises.

This Order shall only apply to documents or files that are possessed by or were generated by Hamoyun Ghassemi; David Bankske; Neil Wensley; David Morrow; Ron Kunisaki; Nicole LeCuyer; any employee with responsibility for research and development, promotions, endorsements, or design of hockey equipment (i.e., sticks, shafts, skates, protective equipment); or any employee or agent with responsibility for acquisitions.

This shall be an ongoing obligation until further order of the court.

SO ORDERED.

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

Dated: June 10, 2005

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on June 10, 2005, by electronic and/or ordinary mail.

s/Marcia Beauchemin  
Deputy Clerk